

REMARKS

Claims 2-10 and 12-15 are pending in this application. Claim 7 has been amended. Claims 2-4, 6, 8-10 and 12-15 have been withdrawn from consideration. The Applicants reserve the right to file divisional applications on unelected claims.

Claim 7

Claim 7 has been amended to have the last and second to last members of the series separated by the word "and." This amendment removes the objection asserted by the Examiner.

Double patenting

The Applicants distinguish the compounds of the present application from the compounds of co-pending application No. 10/586, 420. The Applicants note that the specification of the present application teach that the disclosed compounds are new inhibitors that are selective for the isoforms α and β , and optionally θ , of the PKC over one or more of the other existing PKC isoforms. (See paragraphs [0001], [0005] and [00012] of U.S. Patent Publication No. 2008/0242675. It is believed that no such teaching is disclosed in the co-pending application no. 10/586, 420.

Regarding the provisional obviousness-type double patenting rejection, the Applicants note that the conflicting claims have not yet been patented, and respectfully request that the Examiner to examine the currently pending application on other grounds. See MPEP §804. Should both applications issue, and this provisional obviousness-type double patenting rejection is the only remaining rejection, then the Applicants will reassess at that time.

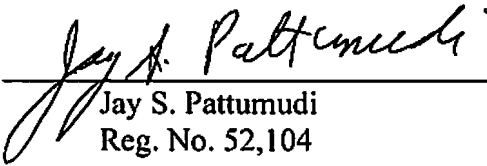
Therefore, the Applicants respectfully request consideration of the amended claim.

CONCLUSION

It is believed that no other additional fees are required. The Commissioner is also authorized to charge any additional fees, if needed, or credit any overpayment, to deposit account No. 50-4255.

Respectfully submitted,

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